

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/909,395	REFAI ET AL.	
	Examiner	Art Unit	
	John Pezzlo	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed 13 May 2005.
2.  The allowed claim(s) is/are 1-16.
3.  The drawings filed on 19 July 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

  
 JOHN PEZZLO  
 PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Allowable Subject Matter***

Claims 1-16 are allowable over the prior art of record.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: Applicants have claimed the following uniquely distant features in the instant invention, which are not found in the prior art, either singularly or in combination.

1. Regarding claim 1 - A method of handling a group call in a CDMA wireless communications system, comprising: classifying members of a group call into a first class or a second class, said first class comprising members authorized to both talk and listen, said second class comprising members authorized to listen but not to talk, initially assigning a private downlink channel to each member of said group call belonging to said first class, assigning a public downlink channel to at least one member of said group call belonging to said second class, changing the classification of a first member of said group call belonging to said first class to be said second class in response to said member not talking for a predetermined time period during said group call, and changing the downlink channel assignment of said first member from said respective private channel to said public downlink channel assigned to said at least one

member of said group call belonging to said second class in response to said change in classification.

2. Regarding claim 6 - A method of handling a group call in a CDMA wireless communications system, comprising: classifying members of a group call into a first class or a second class, said first class comprising members authorized to both talk and listen, said second class comprising members authorized to listen but not to talk, initially assigning a private downlink channel to each member of said group call belonging to said first class, assigning a public downlink channel to at least one member of said group call belonging to said second class, initially transmitting voice on a Reverse Traffic Channel and a pilot signal on a Reverse Pilot Channel, during said group call, by a first member of said group call belonging to said first class, and thereafter, ceasing transmission on the Reverse Traffic Channel, during said group call, by a first member in response to said first member not talking for a first predetermined time period during said group call, while continuing to transmit the pilot signal on the Reverse Pilot Channel.

3. Regarding claim 11 - A method of handling a group call in a CDMA wireless communications system, comprising: classifying members of a group call into one of either a first class or a second class, said first class comprising members authorized to both talk and listen, said second class comprising members authorized to listen but not to talk, initially assigning a private downlink channel and a private uplink channel to a first member of said group call belonging to said first class, initially assigning the remaining members of said group call to one or more public downlink channels, and thereafter, during said group call, substantially simultaneously: reclassifying said first member to said second class, reassigning said first

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member to said public downlink channel, reclassifying a second member of said group call belonging to said second class to said first class, reassigning said private downlink channel and said private uplink channel to said second member.

4. Regarding claim 12 - A method of facilitating communication comprising: establishing a group of users in a CDMA wireless communication system, each of said users having a mobile terminal, initiating a call to at least one other user of the group from a first mobile terminal, assigning a first private downlink channel to said first mobile terminal, assigning other private downlink channels to mobile terminals associated with said at least one other user of the group as needed, and assigning a public downlink channel to remaining users of the group.

5. Regarding claim 16 - A method of handling a group call in a CDMA wireless communications system, comprising: dividing members of a group call to a first class or second class, said first class comprising members authorized to both talk and listen, said second class comprising members authorized to listen but not to talk, assigning a private downlink/uplink channel pair to a member of said first class for communicating between said member of said first class and a base station, assigning a public downlink channel without a corresponding uplink channel to a member of said second class for receiving downlink communications from said base station, wherein, during a given group call, said first member and said second member receive downlink communications from said base station over their respective downlink channels.

The closest prior art, either singularly or in combination, fail to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Claims 1-22 being allowable, **Prosecution On The Merits Is Closed** in this application.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. McKenna et al. (US 6,741,856 B2) discloses a communiqué system for virtual private narrowcasts in cellular communication networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(571) 273-8300

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

2A15

500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

10 August 2005



JOHN PEZZLO  
PRIMARY EXAMINER